

Contents

Part I General Report

- 1 Cost and Fee Allocation in Civil Procedure: A Synthesis 3
Mathias Reimann

Part II National Reports

- 2 The Price of Access to the Civil Courts
in Australia – Old Problems, New Solutions:
A Commercial Litigation Funding Case Study 59
Camille Cameron
- 3 Litigating in Austria – Are Costs and Fees Worth It? 69
Marianne Roth
- 4 “Everything Costs Its Own Cost, and One of Our Best
Virtues Is a Just Desire To Pay It.” An Analysis of
Belgian Law 79
Ilse Samoy and Vincent Sagaert
- 5 Major Shifting: The Brazilian Way 89
Alexandre Alcino de Barros and Sílvia Julio Bueno de Miranda
- 6 The Irrelevance of Costs Rules to Litigation Rates:
The Experience of Quebec and Common Law Canada 99
H. Patrick Glenn
- 7 The Double Face of Cost and Fee Allocation
in the Czech Republic 109
Jan Hurdík
- 8 Cost Wars in England and Wales: The Insurers Strike Back . . 117
Richard Moorhead
- 9 Cost and Fee Allocation in Finland 127
Jarkko Männistö

10	La répartition des frais en procédure civile française	137
	Nicolas Cayrol	
11	Cost and Fee Allocation in German Civil Procedure	151
	Burkhard Hess and Rudolf Huebner	
12	Lawyers' Fees in Greece at a Turning Point: Recent Legislative Changes in Litigation Costs	163
	Kalliopi Makridou	
13	Shifting Sands and Pyrrhic Victories – The Case of India	171
	Neela Badami	
14	It's for the Judges to Decide: Allocation of Trial Costs in Israel Report on Israel	177
	Talia Fisher and Issi Rosen-Zvi	
15	Italy: A Tale of Successful Resistance?	185
	Alessandra De Luca	
16	Recent Issues of Cost and Fee Allocation in Japanese Civil Procedure	195
	Manabu Wagatsuma	
17	Attorney Fee Arrangements Really Matter in Terms of Access to Justice in Korea	201
	Gyoocho Lee	
18	The Particularities of the Macau Special Administrative Region of the People's Republic of China: Legislation on Costs and Fees in Civil Procedure	211
	Cândida da Silva Antunes Pires	
19	Cost and Fee Allocation in the Netherlands	219
	Marco B.M. Loos	
20	Court Costs and Fee Allocation in the Russian Federation: A Civil Law System with a Free Market	229
	Alena Zaytseva	
21	Rigidity, Discretion and Potential Reform: Cost and Fee Allocation in Scotland	239
	Greg Gordon	
22	Cost and Fee Allocation in Slovenia – From Major to Partial Shifting?	251
	Nina Betetto	
23	The System of Costs in Spanish Civil Procedure	259
	Francisco López Símio and José Ángel Torres Lana	
24	Loser Pays – But Only a Reasonable Amount	267
	Martin Sunnqvist	

**25 Pricey But Predictable: Civil Litigation Costs and Their
 Allocation in Switzerland 275**
 Caspar Zellweger

26 The American “Rule”: Assuring the Lion His Share 287
 James R. Maxeiner

Author Biographies 305

Index 311